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Afognak Native Corporation and Alutiiq, LLC*

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA *ex. rel.* BEN
FERRIS,

Plaintiff,

v.

AFOGNAK NATIVE CORPORATION and
ALUTIIQ, LLC,

Defendants.

Case No. 3:15-cv-00150-HRH

**THIRD JOINT STATUS REPORT
REGARDING SETTLEMENT**

Relator Ben Ferris and Defendants Afognak Native Corporation and Alutiiq, LLC (together, the "Parties") jointly submit this Third Joint Status Report Regarding Settlement pursuant to the Court's order dated January 14, 2019. *See* Dkt. 484.

The Parties submitted their first Joint Status Report to the Court on December 17, 2018. *See* Dkt. No. 482. The Parties advised the Court that they were conferring with the Department of Justice in an effort to obtain its consent to the Parties' settlement in principle. Although such consent is not required, the Parties sought to reduce the burden of further litigation. *Id.* at 1-2 (citing *United States ex rel. Killingsworth v. Northrop Corp.*, 25 F.3d 715, 722-23 (9th Cir. 1994)). The Parties further advised that they "anticipate[d] seeking Court approval of their settlement on or before January 17, 2019." *Id.* at 2.

On January 11, 2019, the Parties submitted a Second Joint Status Report Regarding Settlement, advising that the Parties had executed definitive settlement agreements resolving all claims and disputes between Relator and the Defendants, but the federal government shutdown prevented them from completing their discussions with the Department of Justice. *See* Dkt. 483. The Parties advised that they would move for Court approval of the settlement or submit a further status report no later than February 8, 2019. *See id.*; *see also* Order dated Jan. 14, 2019, Dkt. 484 (accepting the Parties' Second Joint Status Report Regarding Settlement and ordering parties to file for approval of their settlement or submit a further status report by February 8, 2019).

Immediately after the federal government shutdown ended, the Parties resumed their discussions with the Department of Justice. The Department of Justice advises that it is considering whether to consent to the settlement but has not yet been able to provide its final position on settlement. The Department of Justice advises that it expects to provide its final position on settlement within 2 to 3 weeks. Accordingly, the Parties respectfully propose to seek approval of the settlement or to submit a further status report by March 1, 2019.

Dated: February 8, 2019.

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By: /s/ Angela R. Jones

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CERTIFICATE OF SERVICE

I certify that on February 8, 2019, the foregoing was filed with the Court's electronic filing system which served a copy on all counsel of record.

By: s/Angela R. Jones
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